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Sanford P. Dumain MILBERG LLP One Pennsylvania Plaza, 49th Floor New York, NY 10119-0165 Telephone: (800) 320-5081

Facsimile: (212) 868-1229

v.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

The Authors Guild, Inc., Association of American Publishers, Inc., Associational Plaintiffs, and Herbert Mitgang, Betty Miles, Daniel Hoffman, Paul Dickson, Joseph Goulden, The McGraw-Hill Companies, Inc., Pearson Education, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc., and John Wiley & Sons, Inc., individually and on behalf of all others similarly situated,

NO. 05 CV 8136-JES

MOTION TO ADMIT COUNSEL PRO HAC VICE

Plaintiffs,

Google Inc.,

Defendant.

PURSUANT TO RULE 1.3(c) of the Local Rules of The United States District Courts for the Southern and Eastern Districts of New York, I, Sanford P. Dumain, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Robert J. LaRocca, Esq. Kohn, Swift & Graf, P.C. Suite 2100, One South Broad St. Philadelphia, PA 19107 (215) 238-1700 (215) 238-1968 (fax)

Robert J. LaRocca is a member in good standing of the Bar of the State of Pennsylvania.

There are no pending disciplinary proceedings against Robert J. LaRocca in any State or Federal court.

Dated: September 21, 2009 New York, New York

Respectfully submitted,

Sanford P. Dumain MILBERG LLP

One Pennsylvania Plaza, 49th Floor New York, NY 10119-0165

Telephone: (800) 320-5081 Facsimile: (212) 868-1229

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New York, NY 10119-0165

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

The Authors Guild, Inc., Association of American Publishers, Inc., Associational Plaintiffs, and Herbert Mitgang, Betty Miles, Daniel Hoffman, Paul Dickson, Joseph Goulden, The McGraw-Hill Companies, Inc., Pearson Education, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc., and John Wiley & Sons, Inc., individually and on behalf of all others similarly situated,

NO. 05 CV 8136-JES

AFFIDAVIT OF SANFORD P. DUMAIN IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE

Plaintiffs,

v.

Google Inc.,	Defendant.								
	x								
STATE OF NEW YORK)								
COUNTY OF NEW YORK) ss:								

- 1, Sanford P. Dumain, being, being duly sworn, depose and say:
- 1. I am a partner at Milberg, LLP, one of the counsel for the plaintiffs Authors Guild, Inc., Herbert Mitgang, Betty Miles, Daniel Hoffman, Paul Dickson, Joseph Goulden, and the Author Sub-Class. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein, and in support of Plaintiffs' motion to admit Robert J. LaRocca as counsel pro hac vice to represent Plaintiffs in this matter.
- 2. I am a member in good standing of the bar of the State of New York. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
- 3. I take this affidavit in support of the motion to admit Robert J. LaRocca pro hac vice.

- 4. Mr. LaRocca is a shareholder of Kohn, Swift, & Graf, P.C., whose firm is one of the counsel for those plaintiffs listed in the first sentence of this Affidavit.
- 5. In support of this motion, I annex hereto a Certificate of Good Standing as to Mr. LaRocca from the Supreme Court of the Commonwealth of Pennsylvania. There are no disciplinary proceedings pending against Mr. LaRocca in any Court, state or federal.
 - 6. Mr. LaRocca is experienced in federal civil litigation.
- 7. I respectfully submit a proposed order granting the admission of Robert J. LaRocca, pro hac vice, which is attached hereto as Exhibit A.

Respectfully submitted,

Sanford P. Dumain MILBERG LLP

One Pennsylvania Plaza, 49th Floor

New York, NY 10119-0165 Telephone: (800) 320-5081 Facsimile: (212) 868-1229

Sworn to before me this

21 day of September, 2009

Notary Public

JLE TARPEH
Notary Public, State of New York
No. 01TA6190864
Qualified in New York County
My Commission Expires August 04, 2012

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

The Authors Guild, Inc., Association of American Publishers, Inc., Associational Plaintiffs, and Herbert Mitgang, Betty Miles, Daniel Hoffman, Paul Dickson, Joseph Goulden, The McGraw-Hill Companies, Inc., Pearson Education, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc., and John Wiley & Sons, Inc.,

individually and on behalf of all others similarly situated,

NO. 05 CV 8136-JES

ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Plaintiffs,

v.

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Upon the motion of Sanford P. Dumain, Esq., one of the attorneys for plaintiffs in the above captioned case, and said sponsor's attorney's affidavit in support;

IT IS HEREBY ORDERED that

Robert J. LaRocca, Esq. Kohn, Swift & Graf, P.C. Suite 2100, One South Broad St. Philadelphia, PA 19107 (215) 238-1700 (215) 238-1968 (fax) rlarocca@kohnswift.com

is admitted to practice pro hac vice as counsel for the plaintiffs The Authors Guild, Inc., Herbert Mitgang, Betty Miles, Daniel Hoffman, Paul Dickson, Joseph Goulden, and the Author Sub-Class in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of the Court, including the Rules governing discipline of attorneys. Counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

DATED:	
	THE HONORABLE DENNY CHIN
	UNITED STATES DISTRICT HIDGE



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Robert Joseph LaRocca, Esq.

DATE OF ADMISSION

October 28, 1977

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal Dated: September 8, 2009

Patricia A. Johnson Chief Clerk

AFFIDAVIT OF SERVICE

STATE OF NEW YORK) :ss.:
COUNTY OF NEW YORK)

JLE TARPEH, being duly sworn, says: I am a paralegal with the law firm of Milberg LLP. On September 21, 2009, I served a true copy of the Motion to Admit Counsel Pro Hac Vice, Affidavit of Sanford P. Dumain in Support of Motion to Admit Counsel Pro Hac Vice, Order for Admission Pro Hac Vice on Written Motion, Certificate of Good Standing for Robert Joseph LaRocca, Esq. by US mail upon the following:

Michael J. Boni, Esq. Joanne Zack, Esq. Joshua Snyder, Esq. Boni & Zack LLC 15 St. Asaphs Road Bala Cynwyd, PA 19004

Jeffery P. Cunard, Esq. Bruce P. Keller, Esq. Debevoise & Plimpton LLP 919 Third Avenue New York, NY 10022

Daralyn J. Durie, Esq.
Joseph C. Gratz, Esq.
Durie Tangri Lemley Roberts & Kent LLP
332 Pine Street, Suite 200
San Francisco, CA 94104

JLE TARPEH

Sworn to before me this 21st day of September 2009

Notary Public

MELONIE PENRHYN
Notary Public, State of New York
No. 01PE5073896
Qualified in Bronx County
Commission Expires March 3, 19

20/0